

Trafficking in Persons Report

US Department of State

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Office to Monitor and Combat Trafficking in Persons

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Country Narrative on BELGIUM (Tier 1)

Belgium is a destination and transit country for men, women, and girls trafficked for the purposes of forced labor and commercial sexual exploitation. Women and girls are trafficked to Belgium for sexual exploitation primarily from Nigeria, Russia, Albania, Bulgaria, Romania and the P.R.C., and through Belgium to other European countries, such as the United Kingdom. Male victims are trafficked to Belgium for labor exploitation in restaurants, bars, sweatshops and construction sites. NGOs reported an alarming increase in unaccompanied minors entering the country who easily become trafficking victims.

The Government of Belgium fully complies with the minimum standards for the elimination of trafficking. The government continued to proactively investigate trafficking and financed NGOs to provide victim assistance, though the government reported that many victims chose not to receive government assistance and protection. Belgium did not undertake a demand reduction campaign focusing on commercial sex acts in its legal commercial sex industry; however, it developed an anti-trafficking national action plan during the reporting period.

Recommendations for Belgium: Increase awareness-raising efforts regarding domestic demand for commercial sex acts and child sex tourism committed by Belgian nationals; improve the collection of law enforcement and victim assistance data, including numbers of residence permits issued and government-assisted repatriations; increase protection for unaccompanied minors vulnerable to traffickers in Belgium; formalize and systematize screening procedures to identify potential victims in the commercial sex trade; and consider formally allowing all victims who assist with law enforcement efforts to obtain residency status, regardless of the outcome of the prosecution.

Prosecution

The Government of Belgium demonstrated sustained law enforcement efforts to combat human trafficking in 2007. Belgium prohibits all forms of trafficking through a 2005 amendment to its 1995 Act Containing Measures to Repress Trafficking in Persons. As amended, the law's maximum prescribed sentence for all forms of trafficking, 30 years, imprisonment, is sufficiently stringent and commensurate with penalties prescribed for rape. In 2007, the government reported over 500 trafficking investigations; official data on the number of cases prosecuted has not yet been released.

In 2006, the most recent year for which comprehensive prosecution statistics are available, the government prosecuted 451 trafficking cases. In 2005, the most recent year for which comprehensive conviction statistics are available, the government convicted 282 traffickers. Sentences ranged from one to ten years, imprisonment. To combat trafficking, special ID cards are issued to diplomatic household personnel, whose employers can be tried in Belgium's system of Labor Courts.

Protection

The government continued to fund three NGOs that sheltered and protected trafficking victims in 2007. During 2007, the three specialized shelter centers registered 619 victims; however the government reported that only 176 accepted assistance. The gap between the number of identified victims and those who receive protection in Belgium was documented in a study by a Belgian University released in 2007. This study found that between 1999 and 2005, most of the trafficking victims referred to the three trafficking shelters disappeared after registering, with only 2.2 percent ultimately qualifying for victim status. Authorities in large cities took measures to limit the growth of legal red light districts, and occasionally closed brothels. The government did not employ formal procedures for victim identification among women in prostitution or other vulnerable groups, but police in several districts reported they used the 2005 anti-trafficking legislation to screen for possible victims and refer them to shelters. The government encouraged victims to participate in trafficking investigations and prosecutions by providing short-term resident status to trafficking victims who assist authorities. Such victims may also obtain permanent residency after their traffickers are sentenced. If the trafficker is not convicted, however, Belgian law provides that victims may have to return to their countries of origin under certain limited circumstances, and only after rigorous review by immigration authorities. All identified victims in 2007 were able to remain in Belgium. Identified victims are not inappropriately incarcerated, fined, or penalized for unlawful acts as a direct result of being trafficked.

Prevention

In 2007, the government continued to fund the activities of two NGOs that raise awareness about child prostitution and run ongoing trafficking prevention campaigns. A governmental executive board developed an anti-trafficking National Action Plan in 2007. Belgian troops are educated about trafficking prior to their deployment on peacekeeping missions abroad. Belgium did not conduct prevention campaigns targeted at reducing domestic demand for commercial sex acts in its legal and regulated sex trade. It conducted an information campaign on responsible tourism by means of posters at the airport and train stations. The government identifies child sex tourism as a significant problem and has an extraterritorial law that allows for prosecution of its nationals for child abuse crimes committed abroad.